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## FACSIMILE COVER SHEET

Deliver to: Anthony T. Ton, USPTOArt Group: 2661Facsimile No.: (703) 872-9306Date: February 22, 2005From: Jon C. Reali, Reg. No. 54,391Our Docket No.: 42390P9719Number of pages 17 including this sheet.Application No.: 09/748,085Filing Date: 12/20/2000

Docket Due Date(s): \_\_\_\_\_

Enclosed are the following documents:

- |  |   |
|--|---|
| <input checked="" type="checkbox"/> Amendment: <u>Preliminary</u> ( <u>12</u> pgs) | <input type="checkbox"/> Issue Fee Transmittal                                    |
| <input type="checkbox"/> Appeal Brief ( _____ pgs)                                 | <input type="checkbox"/> Notice of Appeal   |
| <input type="checkbox"/> Application: _____  | <input type="checkbox"/> Petition for: _____                                      |
| ( _____ pgs) w/cover & abstract)   | <input checked="" type="checkbox"/> Request for Continued Examination (RCE)       |
| <input type="checkbox"/> Assignment & Cover Sheet ( _____ pgs)                     | <input type="checkbox"/> Reply Brief ( _____ pgs)                                 |
| <input checked="" type="checkbox"/> Certificate of Facsimile _____                 | <input type="checkbox"/> Request & Certification Under 35 USC 122(b)(2)(B)(i)     |
| <input type="checkbox"/> Continued Prosecution Application (CPA)                   | <input type="checkbox"/> Request to Rescind Previous Nonpublication Request       |
| <input type="checkbox"/> Declaration & POA ( _____ pgs)                            | <input type="checkbox"/> Response to Notice of Missing Parts & Formalities Letter |
| <input type="checkbox"/> Drawings: _____ sheets, _____ figures                     | <input type="checkbox"/> Response to Written Opinion ( _____ pgs)                 |
| <input checked="" type="checkbox"/> Extension of Time: <u>two (2) months</u>       | <input type="checkbox"/> Terminal Disclaimer                                      |
| <input checked="" type="checkbox"/> Fee Transmittal (in duplicate)                 | <input type="checkbox"/> Transmittal of Publication Fee Due                       |
| <input type="checkbox"/> IDS & PTO/SB/08 ( _____ pgs)                              | <input type="checkbox"/> Transmittal Letter                                       |
| <input type="checkbox"/> Other _____   |   |

**CERTIFICATE OF MAILING/TRANSMISSION (37 CFR 1.84)**

I hereby certify that this correspondence is being transmitted by facsimile on the date shown below to the United States Patent and Trademark Office.

  
Rachael L. Brown

02/22/2005

Date

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**REQUEST  
FOR  
CONTINUED EXAMINATION (RCE)  
TRANSMITTAL**

Address to:  
Mail Stop RCE  
Commissioner for Patents  
P.O. 1450  
Alexandria, VA 22313-1450


Application No.	09/748,085
Filing Date	December 20, 2000
First Named Inventor	David Arthur Eatough
Art Unit	2661
Examiner Name	Anthony T. Ton
Attorney Docket Number	42390P9719

**This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.**  
Request for Continued Examination (RCE) practice under 37 CFR § 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 C.F.R. § 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).
- a. ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
- i. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on  
(Any unentered amendment(s) referred to above will be entered).
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on
- iii. ☐ Other \_\_\_\_\_
- b. ☒ Enclosed
- i. ☒ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☐ Other \_\_\_\_\_
2. **Miscellaneous**
- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(l) required)
- b. ☐ Other \_\_\_\_\_
3. **Fees** The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.
- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 02-2666.
- i. ☒ RCE fee required under 37 C.F.R. § 1.17(e) and any additional claims fee(s)
- ii. ☒ Extension of time fee (37 C.F.R. § 1.136 and 1.17)
- iii. ☐ Other: Request for Continued Examination (\$790.00) (\$0.00)
- b. ☐ Check in the amount of \$1,240.00 enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

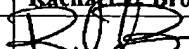
**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

Name (Print/Type)	Jon C. Reali	Registration No. (Attorney/Agent)	54,391
Signature		Date	February 22, 2005

**CERTIFICATE OF MAILING OR TRANSMISSION**

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February 22, 2005

Name (Print/Type)	Rachael B. Brown	Date	February 22, 2005
Signature			

Based on PTO/SB/30 (09-03) as modified by Blakely, Sokoloff, Taylor & Zafman (wtr) 02/10/2004.  
SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450